

Message

From: Kevin Murphy [KMurphy@WladisLawFirm.com]
Sent: 9/24/2015 5:17:10 PM
To: Charney, Lauren [Charney.Lauren@epa.gov]
CC: LuisMendez@ongov.net; Doyle, James [Doyle.James@epa.gov]
Subject: FW: Thoughts on the language below
Attachments: 2015 09 24 RD AOC Cost Reimbursement.Para 35 and 64.docx

Lauren:

Thank you for yesterday's draft. Following up on our brief discussion earlier:

The County has very serious reservations with the combined language of ¶¶ 35 and 64. The County's concern is the lack of clarity and specificity in the draft with respect to the ability of the RA-performing-PRPs to, in fact, receive monies from the Special Fund for RA purposes only. This is critical for two reasons. First, as with any agreement, the drafters may not be available when and if this issues becomes a point of contention and second, ultimately, the County needs to secure the approval of a 17 member legislature that counts many attorneys among its members. They regularly ask the hard question. In the context of that impending process we have identified the questions Luis and I, as counsel, expect to be required to answer for the Legislature. We also have included proposed language that we submit satisfactorily resolves this issue.

Lastly, we would request an opportunity to discuss the attached with you and all others necessary to make a decision on this issue as soon as possible.

Thank you.

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